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SEP 15 2005

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Sonali S. Srivastava
Godfrey & Kahn, S.C.
780 North Water Street
Milwaukee, WI 53202

In re application of
Brian Arnott
Application No. 10/711,328
Filed: September 10, 2004
For: METHOD AND APPARATUS FOR
REMOVING OIL SPILLS AND EXTINGUISHING
FIRE

: **DECISION ON PETITION**
: **TO MAKE SPECIAL**
: **(ENVIRONMENTAL QUALITY)**
:

This is a decision on the petition filed November 12, 2004, under 37 CFR 1.102 (c) to make the above-identified application special under the accelerated examination procedure set forth in MPEP 708.02, Section V: Environmental Quality.

A grantable petition to make an application special under 37 C. F. R. 1.102(c), MPEP 708.02, Section V for an invention which materially enhances the quality of the environment of mankind by contributing to the restoration or maintenance of the basic life-sustaining elements-air, water and soil, must be accompanied by affidavits or declaration under 37 CFR 1.102 by the applicant or his attorney explaining how the invention contributes to the maintenance or restoration of one of these life sustaining elements.

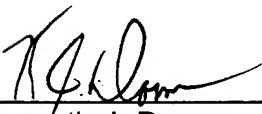
The declaration of Sonali S. Srivastava states that "the claimed invention materially enhances the quality of the environment by efficient and effective removal of oil spills and extinguishing fires."

These statements are insufficient to grant a petition under 37 CFR 1.102 (c) to make the above-identified application special under the accelerated examination procedure set forth in MPEP 708.02, Section V: Environmental Quality. In this regard, Sonali S. Srivastava's statements are lacking in that they fail to explain, and establish for the record, how applicants' invention contributes to the maintenance or restoration of the basic life-sustaining elements-air, water and soil. While it may be that applicant's invention materially enhances the quality of the environment by efficient and effective removal of oil spills and extinguishing fires, It is not clear from Sonali S. Srivastava 's statement how this is accomplished or how, in fact, this leads to the "restoration" or "maintenance" of one or more of the basic life-sustaining elements-air, water and soil.

The petition to make special based on Environmental Quality is **DISMISSED**.

Any request for reconsideration must be filed within TWO MONTHS of the date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. Should petitioner desire reconsideration, he should supplement this petition by a declaration or statement giving the information as outlined above. Applicants should promptly submit a renewed petition to the Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450. The envelope should indicate that the correspondence be brought to the attention of Technology Center 3600.

Until the renewed petition is submitted, the application will be returned to the examiner's docket to await treatment on the merits in the normal order of examination.



Kenneth J. Dorner
Special Programs Examiner
Technology Center 3600
(571) 272-6587

KJD/mng: 07/25/05